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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/384,443	08/27/1999	BRENDAN P. MURRAY	52817.000090	7839

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EXAMINER

EDOUARD, PATRICK NESTOR

ART UNIT PAPER NUMBER

2654

DATE MAILED: 06/04/2003

16

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/384,443

Applicant(s)

MURRAY ET AL

Examiner

Patrick N. Edouard

Art Unit

2654

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on Mar 5, 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1, 3-6, 8-11, 13-16, and 18-28 is/are pending in the application.
- 4a) Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 3-6, 8-11, 13-16, and 18-28 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some\* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_ 6) ☐ Other:

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### **DETAILED ACTION**

1. This Office Action is in response to communication filed 3/5/03 (paper #14) .Claims 1, 3-6, 8-11, 13-16, 18-20 and new claims 21-28 are pending.

#### ***Claim Rejections - 35 USC § 112***

2. Claims 5, 10, 15 and 20 are rejected under 35 U.S.C. 112, second paragraph, as being incomplete for omitting essential steps, such omission amounting to a gap between the steps. See MPEP § 2172.01. The claims recited “computing a total number of characters of the message the match the predetermined character set” . However, the claims on which they depend lack the step of matching each character. Therefore, The omitted steps are: for example , comparing the characters of the message to each character of the table bank to determine a match.

#### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

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The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

4. Claims 1, 6, 11, 16, 21, 23, 25 and 27 are rejected under 35 U.S.C. 102(e) as being anticipated by Shakib et al (5,778,213).

As per claims 1, 6, 11 and 16, Shakib et al teach a method of evaluating characters in a message, comprising the steps of:

“Creating a character table having one row representing an entry for a predetermined character and a plurality of columns associated with a corresponding row wherein each column is associated with a predetermined character set” (figure 1, his first table 17, comprising row and column, col. 1, line 59-65, col. 3, lines 18-28);

“Accepting an input of the characters of the message” ( figure 2, the user request s the first set of a database record, col. 4, line 10-11);

“ evaluating the message by determining whether the characters of the message are supported by the predetermined character sets associated with the corresponding plurality of columns of the character table bank” ( col. 4, lines 17-24, the server determines whether the

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selected first set is already stored in the user-specified character. If not, the first set is converted to the user specified character set).

As per claims 21, 23, 25 and 27, Shakib et al teach wherein the step of creating the character table bank further includes providing an indication in each column of whether the corresponding predetermined character is able to express the predetermined character of the corresponding row ( col. 3, lines 18-41, each field of first set is a tag that identifies the character set and each tag is associated with each first set of field (column).

### ***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 3-5, 8-10, 13-15, 18-10, 22, 24, 26 and 28 rejected under 35 U.S.C. 103(a) as being unpatentable over Shakib et al (5,778,213) in view of Martino (5,548,507).

As per claims 3, 8, 13, and 18, Shakib et al teach wherein the step of evaluating the message further comprises:

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“Encoding the predetermined character of at least one word on a universal code format” ( figure 1, his second set 22 may be stored in a universal code , col. Col. 3, lines 50-55);

“Testing the characters of the message against he encoded predetermined character to determine a match” ( col. 4, lines 17-24, the server determines whether there is a match between the user request and the character sets);

It is noted that Shakib et al teach the claimed invention but does not explicitly teach identifying the predetermined character sets that corresponds to the encoded predetermined character of the at least one row as character sets that express the characters of the message. However, this features is well known in the art as evidenced by Martino et al who teach figure 1, his word comparator controls, col. 7, lines 59-67 through col. 8, lines 1-60, col. 5, lines 5-60 comparing the characters of the message to a predetermined set of candidate character sets to determine a match between the predetermined set of candidate character set and the message. Therefore, one having ordinary skill in the art at the time the invention was made would have it obvious to incorporate the word (character) comparator controls as taught by Martino into the system as taught Shakib et al because it would provide a system capable of determining the language of message with high degree of efficiency.

As per claims 4, 9, 14 and 19, Shakib et al teach wherein the universal code format is Unicode ( col. 3, lines 50-55, his Unicode ).

As per claims 5, 10, 15, and 20, Martino et al teach computing a total number of character matched to each of the candidate character sets ( table 1, his cumulative frequency).

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As per claims 22, 24, 26 and 28 , Shakib et al teach creating a mask comprising a number of mask columns that corresponds to a number of columns in the character table bank, wherein the column of the mask contain an indication of the predetermined characters sets against which the characters of the message are to be evaluated ( figure 1, col. 3, lines 18 to col. 4, line 8)

7. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231 or faxed to:

(703) 308-9051, (for formal communications intended for entry) Or:

(703) 305-9508 (for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park 11, 2121 Crystal Drive, Arlington, VA.,

Sixth Floor (Receptionist).

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Patrick N. Edouard whose telephone number is (703) 308-6725. The examiner can normally be reached on Tuesday-Friday from 07:30 a.m.-6:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Forester W. Isen, can be reached on (703) 305-4386.


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The facsimile phone number for this Art Unit is (703) 872-9314. Alternatively, facsimile messages may be sent directly to (703) 305-9644 where they will be stored in the examiner's voice mailbox (telling the examiner that a fax was received) and be automatically printed (i.e. - no delay by the examiner).

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Patrick N. Edouard

May 30, 2003



**PATRICK N. EDOUARD**  
**PRIMARY EXAMINER**